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Attorney Docket No.: 915-006.072
Application Serial No.: 10/528,459

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael MULLIGAN

Serial Number: 10/528,459

Examiner: **Matthew S. Lindsey**

Filed: **March 18, 2005**

Group Art Unit: **2451**

**TITLE: METHOD, DEVICE AND SYSTEM FOR PROVIDING ADDITIONAL
INFORMATION RELATED TO THE CONTENTS OF A RADIO BROADCAST TO
TERMINAL DEVICES**

Attorney Docket No.: **915-006.072**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF FINALITY

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marilyn O'Connell
Marilyn O'Connell

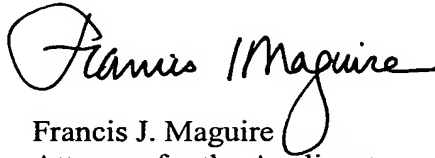
Dated: Nov. 25, 2008

REMARKS

This is to request the Examiner to withdraw the final rejection of October 28, 2008 in light of the notification from the Legal Examiner of PCT Legal Affairs in the Office of Patent Cooperation Treaty Legal Administration that we received on October 30, 2008. The notification indicates that the Office of Patent Cooperation Treaty Legal Administration has made a determination that the claims 1-23 included as an annex to the Form PCT/IPEA/416 are the claims that should have been examined.

Since the Examiner has examined the wrong set of claims, it is requested that the finality of the action of October 28, 2008 be withdrawn and a non-final Office Action be issued examining the correct set of claims 1-23.

Respectfully submitted,

A handwritten signature in black ink that reads "Francis J. Maguire". The signature is written in a cursive style with a large, looped initial "F".

Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391

FJM/mo
WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, Connecticut 06468
(203) 261-1234